

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

SUSQUEHANNA RADIO LLC,

Plaintiff,

v.

**JACOB KEMP and DANIEL
MCDOWELL,**

Defendants.

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Case No. 3:23-CV-01746-S

**DEFENDANTS UNOPPOSED MOTION TO
EXTEND TIME TO RESPOND TO PLAINTIFF’S COMPLAINT**

Defendants Jacob Kemp and Daniel McDowell (collectively, “Defendants”) files their Unopposed Motion to Extend Time to Respond to Plaintiff’s Complaint (“Motion”) seeking an extension of the responsive pleading deadline to September 5, 2023, and would respectfully show the Court as follows:

1. Plaintiff Susquehanna Radio LLC (“Plaintiff”) filed its Complaint on August 4, 2023. ECF No. 1. Defendants were served on August 7, 2023. ECF No. 15. Under the federal rules, Defendants’ deadline to file responsive pleadings to Plaintiff’s Complaint is August 28, 2023. *See* Fed. R. Civ. P. 12(a)(1)(A)(i), (b).

2. Since being served, Defendants have been forced to respond to Plaintiff’s application for temporary restraining order and preliminary injunction, prepare for an injunction hearing (originally set for August 21, reset for August 29), and mediation that began on August 22. *See* ECF 9, 10, 13, 14, 19, 29. For these reasons, Defendants need additional time to prepare their responsive pleadings to Plaintiff’s Complaint.

3. Defendants' counsel conferred with Plaintiff's counsel concerning the need for an extension. Defendants' counsel understands that Plaintiff's counsel is not opposed to a one-week extension of the responsive pleadings deadline. Because the seventh day (September 4) is a legal holiday (Labor Day), Defendants' responsive pleadings would be due on Tuesday, September 5, pursuant to Rule 6's standard for computing time. *See* Fed. R. Civ. P. 6(a)(1)(C).

4. The requested relief is sought for good cause and will not unduly delay the case. No other extensions have been requested for Defendants' responsive pleadings and no other deadlines or setting in this case will be affected.

WHEREFORE, Defendants Jacob Kemp and Daniel McDowell respectfully request that this Court grant this Motion for extension and order that Defendants file their responsive pleadings to Plaintiff's Complaint (ECF No. 1) on or before September 5, 2023, and grant Defendants such other and further relief to which they may be justly entitled.

Respectfully submitted,

/s/ Elizabeth F. Griffin

Philip Kingston Texas Bar No. 24010159 Sheils Winnubst PC 1701 N. Collins, 1100 Atrium II Richardson, Texas 75080 (214) 642-1707 philip@sheilswinnubst.com	Matthew Bruenig District of Columbia Bar No. 1045571 (admitted <i>pro hac vice</i>) 124 4th St. Stamford, Connecticut 06905 (857) 540-1205 matthewbruenig@gmail.com
Frank G. Cawley Texas Bar No. 24006978 Cawley Law LLC 2591 Dallas Parkway, Suite 300 Frisco, TX 75034 (469) 259-2221 frank@cawleylawgroup.com	Elizabeth F. Griffin Texas Bar No. 24092450 Clark Hill PLC 901 Main Street, Suite 6000 Dallas, Texas 75202 214-651-4300 214-659-4330 (Fax) egriffin@clarkhill.com

ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF CONFERENCE

On August 24, 2023, the undersigned conferred with opposing counsel through mediator, Mr. J. Robert Arnett, II, regarding the relief requested in this Motion. Mr. Arnett informed Defendant's counsel that Plaintiff's counsel is unopposed to a one-week extension.

/s/ Elizabeth F. Griffin

ELIZABETH F. GRIFFIN